

MOTION BY SUPERVISORS MICHAEL D. ANTONOVICH AND GLORIA MOLINA
SEPTEMBER 13, 2005

Just recently, the California Air Resources Board (CARB) staff, the Burlington Northern and Santa Fe Railroad Company, and the Union Pacific Railroad Company entered into a memorandum of understanding (MOU), without any public comment or consideration by the CARB, that both undercuts current visible emissions enforcement actions railroad companies must adhere to and that allows the railroads to back out of their obligations.

An MOU is not the preferred instrument to achieve emission reductions. Instead, a transparent public process must be implemented where stakeholders and both state and local regulatory agencies can provide input instead of a two-party MOU.

WE, THEREFORE, MOVE that the Board of Supervisors sends a five-signature letter urging the CARB to rescind the 2005 MOU. Should that resolution not be feasible, the Board of Supervisors then urges the CARB to strengthen this agreement by removing the termination clause.

WE, FURTHER, MOVE that the Board of Supervisors urge the CARB to support local and regional efforts to reduce locomotive and railyard emissions through proposed legislation and proposed rule development, and to include stakeholder and public participation in its rule and program development process.

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MDA:mcsc

MOTION

BURKE	_____
YAROSLAVSKY	_____
KNABE	_____
ANTONOVICH	_____
MOLINA	_____